

Message Text

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ACTION SCS-03

INFO OCT-01 ARA-06 ISO-00 SY-05 L-02 DEAE-00 H-02 FBIE-00

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P 072155Z MAR 75

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 2436

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E.O. 11652: N/A

TAGS: CASC, SNAR, CI: (CERRETTI, JOHN D.; WARLOW, HENRY P.;
WARLOW, JAMES R.)

SUBJ: DEPARTURE FROM SANTIAGO OF WARLOW BROTHERS; CONTINUATION
OF CASE AGAINST CERRETTI.

REF: SANTIAGO 1392

1. EMBASSY REQUESTED SAFE CONDUCT PASSES FOR
WARLOW BROTHERS AFTERNOON OF 4 MARCH. INTERNATIONAL
POLICE SECTION OF INVESTIGACIONES POLICE AGREED
ISSUE PASSES AFTERNOON OF 5 MARCH. WHEN THE
WARLOW BROTHERS WENT TO PICK UP THE PASSES, THEY
WERE TOLD ISSUANCE COULD NOT BE MADE UNTIL THE
EMBASSY OBTAINED FROM THE JUDGE A CERTIFICATION
STATING THAT THERE WERE NO PENDING CHARGES AGAINST
THEM.

2. MORNING OF 6 MARCH CONSOFF OBTAINED NECESSARY
CERTIFICATION FROM THE JUDGE, PRESENTED IT TO THE
POLICE, AND SAFE CONDUCT PASSES VALID FOR DEPARTURE
FROM CHILE NO LATER THAN 11 MARCH WERE ISSUED.
WARLOW BROTHERS DEPARTED SANTIAGO EARLY AFTERNOON
OF 7 MARCH OVERLAND FOR ANTOFAGASTA. THEY PLAN TO
MAKE RAILROAD CONNECTIONS IN ANTOFAGASTA ON TO LA
PAZ, BOLIVIA.

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3. EMBASSY PREPARED DRAFT CHRONOLOGY

OF EMBASSY ACTIONS REGARDING THE WARLOW BROTHERS' DETENTION, DISCUSSED BASIC SUBSTANCE WITH THEM AFTERNOON OF 6 MARCH. BROTHERS AT FIRST SAID THEY HAD NO NEED FOR SUCH A DOCUMENT; SUBSEQUENTLY SAID IT MIGHT BE HELPFUL TO THEIR PARENTS SINCE ARTICLES APPEARING IN DES MOINES PRESS REGARDING THEIR DETENTION WERE "SLANDER". BROTHERS REQUESTED THAT THE CHRONOLOGY LETTER BE FORWARDED TO THEIR PARENTS, AND THAT THERE BE SPECIFIC MENTION OF FACT THAT JUDGE DISMISSED THE CASE AGAINST THEM FOR "LACK OF MERIT". EMBASSY CURRENTLY PREPARING FINAL TEXT OF LETTER FOR TRANSMITTAL, INCORPORATING GUIDANCE OF STATE 043931.

4. CONSOFF HAS VISITED CERRETTI DAILY DURING CURRENT WEEK. LATTER CONTINUES CONFIDENT THAT PAYMENT OF FINAL INSTALLMENT OF "BRIBE" MONEY TO COURT REPORTER BY WARLOW BROTHERS WOULD RESULT IN RELEASE ON 7 MARCH. WARLOW BROTHERS SAY THEY PAID FINAL \$300 ON 6 MARCH; AS OF 1500 HRS. 7 MARCH CERRETTI WAS STILL IN JAIL.

5. CONSOFF RECEIVED TELEPHONE CALL FROM CERRETTI FAMILY LAWYER TONINI LATE AFTERNOON OF 6 MARCH. TONINI SAID CERRETTI'S MOTHER ON THE VERGE OF COLLAPSE DUE TO WORRY; ASKED IF EMBASSY WOULD ARRANGE FOR CERRETTI TO TALK WITH MOTHER BY TELEPHONE. DURING SUBSEQUENT DISCUSSION OF PHONE CALL WITH CERRETTI, HE SUGGESTED THAT CALL BE DELAYED UNTIL MONDAY, 10 MARCH. HE SAID THAT IF BY THEN HE WAS NOT FREE, HE COULD AT LEAST ADVISE HIS MOTHER DEFINITELY OF HIS SITUATION. CERRETTI ALSO AGREED THAT IF THERE STILL NO SIGN OF RELEASE BY 10 MARCH, HE WOULD HIRE A LOCAL ATTORNEY TO ACTIVELY DEFEND HIM. (QUERY FROM CONSOFF ON MARCH 6 RESULTED IN ADVICE FROM JUDGE THAT CASE AT A STANDSTILL SINCE CERRETTI HAD NO ATTORNEY ACTING FOR HIM). AS REPORTED PREVIOUSLY, CONSOFF PROVIDED CERRETTI WITH LAWYERS LIST AT FIRST MEETING AND HAS CONSISTENTLY URGED HIM TO EMPLOY ONE. CONSOFF ADVISED TONINI ON MARCH 7 OF CERRETTI'S PLANNED PHONE CALL TO MOTHER ON 10 MARCH.

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